



South Florida Water Management District

GOVERNING BOARD MEETING AGENDA

This meeting is open to the public
Wednesday, October 13, 2004
9:00 a.m.

District Headquarters – B-1 Auditorium
3301 Gun Club Road
West Palm Beach, FL 33401

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of presiding officer. Public comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

1. **Call to Order** – Mr. Nicolás J. Gutiérrez, Chair, Governing Board
2. **Pledge of Allegiance** – Mr. Nicolás J. Gutiérrez, Chair, Governing Board
3. **September Employee Recognitions**
Employee of the Month

Archie L. Goff, Structure Maintenance Technician, Ft. Lauderdale Field Station
[September Employee Backup.doc](#)

September Team of the Month

DEP Everglades Phosphorus Rule – Rule 62-302.540, Adoption Defense Team consisting of **Kirk L. Burns**, Sr. Supervisory Attorney, Office of Counsel; **Gary F. Goforth**, Chief Consulting Engineer, Water Resource Management Staff; **Rufino Osorio**, Sr. Legal Administrative Assistant, Office of Counsel; **Luna E. Phillips**, Sr. Attorney, Office of Counsel; **Joyce B. Rader**, Paralegal Specialist, Office of Counsel; **Garth W. Redfield**, Chief Environmental Scientist, ERA Department Staff; and **Thomas M. Teets**, Section Leader, Program Coordination Section;
[September DEP Rule Team Backup.doc](#)

October Employee Recognitions

Employee of the Month

Christian Flierl, Revenue Manager, Finance & Administration

[C.Flierl EOM Backup.doc](#)

Team of the Month

Employee Committee consisting of **Linda Hummel**, Administrative Assistant – Sr., Executive Office Staff; **Janice H. Johansen**, Administrative Assistant – Sr.,

Procurement Department Staff; **William (Chad) Kennedy**, Sr. Environmental Scientist, Project & Contract Management; **Adele H. Mauney**, Legal Administrative Assistant – Staff, Office of Counsel; **Kathryn (Beth) McArdle**, Administrative Assistant – Sr., Land Acquisition Staff; **Paula D. Moree**, Staff Business Operations Analyst, Office of Board and Executive Services; **Nathan Ralph**, Environmental Scientist, Environmental Resource Assessment; **Rosanne M. Smith**, Employee Relations Manager, Human Resources Department Staff; **Lissette C. Sori**, Sr. Business Operations Analyst, Watershed Management Department Staff; **Juli R. Triola**, Paralegal Specialist, Office of Counsel; and **Lesa M. Tucker**, Executive Assistant, Corporate Resources Staff

[Employee Committee Team Backup.doc](#)

4. **Presentation by Government Finance Officers Association**
Linda Davidson, CPA, CGFO, and a Director of GFOA, awarding the SFWMD the Distinguished Budget Presentation Award for Fiscal Year 2004.
5. **Approval of Minutes from the last month's Governing Board meeting**
[Sept 21 Budget Minutes.doc](#)
[DRAFT August GB Regular Meeting Minutes \(8-11-04\).pdf](#)
[Minutes for Sep 8 2004.doc](#)
6. **Agenda Addendum**
7. **Abstentions by Board Members from items on the Agenda**
8. **Pull Items for Discussion from Governing Board Meeting Agenda**
9. **Public Comment on Consent Agenda**
10. **Board Comment on Consent Agenda**

Consent Agenda

Members of the public wishing to address the Governing Board are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chair to speak. If you want to request that an item be removed from the Consent Agenda and be discussed by the Governing Board, please advise the Governing Board when you are called upon to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chair. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda.

Unless otherwise determined by the Chair, Board action on pulled Consent Agenda items will occur at or after 9:00 a.m. on Wednesday. Regulatory items pulled from the Consent Agenda for discussion will be heard during the Discussion Agenda. **Unless otherwise noted, all consent agenda items are recommended for approval.**

Land Resources – Regulatory Matters

11. Right of Way Occupancy New Permits
Right of Way Occupancy Permit Modifications
Right of Way Occupancy Permit Requests with Waiver of District Criteria

See supporting document: [ca_lr_rm_001_sd.doc](#)

Water Resources – Regulatory Matters

12. Water Use Permit Applications
Surface Water Management Permit Applications (includes Conservation Easements)
Environmental Resource Permit Applications (includes Conservation Easements)
Denials
Environmental Resource Permit Extensions
Consent Agreements

See supporting document: [ca_wr_rm_001_sd.pdf](#)

Water Resources

13. Board review and public noticing of a mitigation plan prepared by District staff for the Department of Transportation pursuant to the requirements of section 373.4137, F.S. (Robert Robbins, X6951)
See supporting document: [ca_wr_001_sd.pdf](#)

14. Approve entering into a Consent Agreement with Michael J. Crooks (Crooks Ranch) to allow an increased allocation over the permitted amount to support an increase in irrigation crops to 687 acres, and to allow District staff access to the property to collect information to support evaluation of the pending Water Use Permit Application (Hendry County) (Scott Burns, X6817) (5P/5D)

See supporting document: [ca wr 002 sd.doc](#)

15. Authorize publication of Notice of Proposed Rulemaking in the Florida Administrative Weekly (FAW) to amend Chapter 40E-3, F.A.C. to delegate the DEP well program in delineated areas, 62-524. F.A.C., to the District, and to include clarifications and improvements to 40E-3, F.A.C., based on comments from the public and the District's past experience with the rule.
(Scott Burns, X6817)

See supporting document: [ca wr 003 sd.doc](#)

16. WATERSHED MANAGEMENT
INTERAGENCY AMENDMENT

2004-1011 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to reimbursement agreement C-14051 with the Florida Department of Environmental Protection, for the State of Florida Coastal Impact Assistance Program, to extend the term by 13 months from December 1, 2004 to December 31, 2005, at no additional cost to the District; providing an effective date.
(Contract Number C-14051-A02)

Project Sponsor: Deborah L. Drum at ext: 2558

See resolution: [ca wr 201 rd.doc](#)

See supporting document: [ca wr 201 sd.doc](#)

See supporting CJSS: [ca wr 201 cj.pdf](#)

See supporting map: [ca wr 201a sd.doc](#)

17. ENVIRONMENTAL RESOURCE REGULATION
LOCAL GOVERNMENTAL AGREEMENT

2004-1012 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cost share agreement with the Town of Southwest Ranches to create a mitigation partnering option for small nursery operations in the amount of \$522,066, of which the District's total contribution is \$214,700, for which dedicated funds (Wetlands Mitigation Fund) are budgeted; providing an effective date. (Contract Number OT050980)

Project Sponsor: Anita R Bain at ext: 6866

See resolution: [ca wr 203 rd.doc](#)

See supporting document: [ca wr 203 sd.doc](#)

See supporting CJSS: [ca wr 203 cj.pdf](#)

18. WATER SUPPLY

INTERAGENCY AMENDMENT

2004-1013 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to agreement C-13385 with the U. S. Department of Agriculture - NRCS for Mobile Irrigation Labs, to extend the term by 1 year from October 15, 2004 to October 14, 2005, in an amount not-to-exceed \$506,500 for which ad valorem funds in the amount of \$379,875 are budgeted and the remainder is subject to Governing Board approval of the FY06 budget; providing an effective date. (Contract Number C-13385-A05)

Project Sponsor: Morris Rosen at ext: 6786

See resolution: [ca wr 204 rd.doc](#)

See supporting document: [ca wr 204 sd.doc](#)

See supporting document: [ca wr 204a sd.xls](#)

See supporting CJSS: [ca wr 204 cj.pdf](#)

See supporting Map: [ca wr 204b sd.jpg](#)

19. WATER SUPPLY

INTERAGENCY AGREEMENT

2004-1014 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 5 year cost-share agreement with St. Lucie Soil & Water Conservation District for a Long-Term Upper East Coast Floridan Aquifer Monitoring Well Network in the amount of \$642,800 of which the District's total contribution is \$321,400, of which \$64,280 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY06-FY09 budgets; providing an effective date. (Contract Number OT050195)

Project Sponsor: Simon A. Sunderland at ext: 2705

See resolution: [ca wr 205 rd.doc](#)

See supporting document: [ca wr 205 sd.doc](#)

See supporting CJSS: [ca wr 205 cj.pdf](#)

See supporting map: [ca wr 205a sd.doc](#)

20. WATERSHED MANAGEMENT

UNIVERSITY COOPERATIVE AMENDMENT

2004-1015 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cost share agreement CP040626 with Florida Gulf Coast University, for oyster research in the Caloosahatchee Estuary, in the amount of \$118,000, of which the District's total contribution is \$100,000, for which dedicated funds (CERP) in the amount of \$31,250 are budgeted, and the remainder is subject to Governing Board approval of the FY06-FY07 budgets; providing an effective date. (Contract Number CP040626-A01)

Project Sponsor: Tomma K. Barnes at ext: 7771

See resolution: [ca wr 206 rd.doc](#)

See supporting document: [ca wr 206 sd.doc](#)

See supporting CJSS: [ca wr 206 cj.pdf](#)

See supporting map: [ca wr 206a sd.doc](#)

**21. WATERSHED MANAGEMENT
SPECIAL PROCUREMENT**

2004-1016 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cost-share agreement with Mote Marine Laboratory, for submerged aquatic vegetation research in the Caloosahatchee Estuary, in the amount of \$375,000, of which the District's total contribution is \$300,000, for which dedicated funds (CERP/RECOVER) in the amount of \$75,000 are budgeted, and the remainder is subject to Governing Board approval of the FY06-FY08 budgets; providing an effective date. (Contract Number CP050281)

Project Sponsor: Tomma K. Barnes at ext: 7771

See resolution: [ca wr 207 rd.doc](#)

See supporting document: [ca wr 207 sd.doc](#)

See supporting CJSS: [ca wr 207 cj.pdf](#)

See supporting map: [ca wr 207a sd.doc](#)

**22. WATERSHED MANAGEMENT
INTERAGENCY AGREEMENT**

2004-1017 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cost-share agreement with Florida Fish and Wildlife Conservation Commission, for juvenile fish community monitoring in Estero Bay, in an amount not to exceed \$270,000, of which the District's total contribution is \$225,000, for which dedicated funds (state appropriations) in the amount of \$75,000 are budgeted, and the remainder is subject to Governing Board approval of the FY06-FY07 budgets; providing an effective date. (Contract Number OT050280)

Project Sponsor: Tomma K. Barnes at ext: 7771

See resolution: [ca wr 208 rd.doc](#)

See supporting document: [ca wr 208 sd.doc](#)

See supporting CJSS: [ca wr 208 cj.pdf](#)

See supporting map: [ca wr 208a sd.doc](#)

**23. ENVIRONMENTAL RESOURCE ASSESSMENT
INTERAGENCY AGREEMENT**

2004-1018 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cooperative agreement with the Florida Fish and Wildlife Conservation Commission for Everglades Construction Project (ECP) and Non-ECP fish collection to quantify mercury bioaccumulation in the amount of \$281,000 of which \$87,000 in dedicated funds (Everglades Restoration Trust Fund \$77,860 and Florida Bay Fund \$9,140) are budgeted and the remainder is subject to Governing Board approval of the FY06-FY07 budgets; providing an effective date. (Contract Number ML050348)

Project Sponsor: Nicole M. Niemeyer at ext: 4765

See resolution: [ca wr 210 rd.doc](#)

See supporting document: [ca wr 210 sd.doc](#)

See supporting CJSS: [ca wr 210 cj.pdf](#)

See supporting map: [ca wr 210a sd.pdf](#)

**24. ECOSYSTEM RESTORATION
INTERAGENCY AMENDMENT**

2004-1019 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cooperative agreement C-C11701A with Palm Beach County, the City of West Palm Beach and the Indian Trail Improvement District for the L-8 Reservoir Testing Project to extend the term 195 days from September 17, 2004 to March 31, 2005 at no additional cost to the District; providing an effective date. (Contract Number C-C11701A-A01)

Project Sponsor: Michael P. Voich at ext: 6754

See resolution: [ca wr 211 rd.doc](#)

See supporting document: [ca wr 211 sd.doc](#)

See supporting CJSS: [ca wr 211 cj.pdf](#)

See supporting map: [ca wr 211a sd.ppt](#)

**25. WATERSHED MANAGEMENT
INTERAGENCY AMENDMENT**

2004-1020 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cost-share agreement C-13401 with US Department of Commerce - NOAA for Biscayne Bay coastal biological community performance data, to extend the term by 20 months from January 11, 2005 to September 10, 2006, in the amount of \$393,829 of which the District's total contribution is \$275,000, for which dedicated funds (state appropriations) are budgeted; providing an effective date. (Contract Number C-13401-A02)

Project Sponsor: Trisha D. Stone at ext: 6954

See resolution: [ca wr 212 rd.doc](#)

See supporting document: [ca wr 212 sd.doc](#)

See supporting CJSS: [ca wr 212 cj.pdf](#)

See supporting map: [ca wr 212a sd.doc](#)

26. WATERSHED MANAGEMENT

INTERAGENCY AGREEMENT

2004-1021 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cooperative agreement with the Federal Emergency Management Agency for Map Modernization Management Support, in an amount not to exceed \$175,000 to be reimbursed to the District, for which dedicated funds (Federal Emergency Management Agency Fund (FEMA)) are budgeted; providing an effective date. (Contract Number IA050990)

Project Sponsor: Angela A. Prymas at ext: 6629

See resolution: [ca wr 214 rd.doc](#)

See supporting document: [ca wr 214 sd.doc](#)

See supporting CJSS: [ca wr 214 cj.pdf](#)

27. WATERSHED MANAGEMENT INTERAGENCY AGREEMENT

2004-1022 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Shell and Prairie Creek Watershed Management Plan Stakeholder Memorandum of Agreement, at no cost to the District; providing an effective date. (Contract Number OT040978)

Project Sponsor: Carla N. Palmer at ext: 7790

See resolution: [ca wr 215 rd.doc](#)

See supporting document: [ca wr 215 sd.doc](#)

See supporting CJSS: [ca wr 215 cj.pdf](#)

See supporting map: [ca wr 215a sd.doc](#)

28. WATERSHED MANAGEMENT COMPETITIVE CONTRACT AMENDMENT

2004-1023 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract C-13410 with HSA Engineers & Scientists for Lamb Island Dairy Remediation, to extend the term by 18 months from November 15, 2004 to May 14, 2006, at no additional cost to the District; providing an effective date. (Contract Number C-13410-A03)

Project Sponsor: James A. Laing at ext: 6667

See resolution: [ca wr 216 rd.doc](#)

See supporting document: [ca wr 216 sd.doc](#)

See supporting CJSS: [ca wr 216 cj.pdf](#)

See supporting map: [ca wr 216a sd.doc](#)

**29. ENVIRONMENTAL RESOURCE ASSESSMENT
LOCAL GOVERNMENTAL AGREEMENT**

2004-1024 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cooperative agreement with Miami-Dade County Department of Environmental Resource Management, for Everglades watershed water quality sampling in an amount not to exceed \$778,456 of which \$262,000 in dedicated funds (Everglades Restoration Trust Fund \$148,200; Florida Bay Fund \$98,800; and Comprehensive Everglades Restoration Plan Fund \$15,000) are budgeted; and the remainder is subject to Governing Board approval of the FY06-07 budgets; providing an effective date. (Contract Number ML050369).

Project Sponsor: Patrick J. Martin at ext: 4761

See resolution: [ca_wr_217_rd.doc](#)

See supporting document: [ca_wr_217_sd.doc](#)

See supporting CJSS: [ca_wr_217_cj.pdf](#)

See supporting map: [ca_wr_217a_sd.jpg](#)

**30. ECOSYSTEM RESTORATION
INTERAGENCY AMENDMENT**

2004-1025 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract C-C20302A with the Florida Fish & Wildlife Conservation Commission for Florida Bay historic, current, & future seagrass distribution to extend the term by 1 year from November 21, 2004 to November 20, 2005, at no additional cost to the District; providing an effective date. (Contract Number C-C20302A-A01)

Project Sponsor: April E. Huffman at ext: 6605

See resolution: [ca_wr_218_rd.doc](#)

See supporting document: [ca_wr_218_sd.doc](#)

See supporting CJSS: [ca_wr_218_cj.pdf](#)

**31. ECOSYSTEM RESTORATION
INTERAGENCY AGREEMENT**

2004-1026 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3-year Memorandum of Agreement with the St. Johns River Water Management District, for water resource management investigations along their common boundary between St. Lucie and Indian River counties; providing an effective date. (Contract Number OT050412)

Project Sponsor: David R. Unsell at ext: 6888

See resolution: [ca_wr_219_rd.doc](#)

See supporting document: [ca_wr_219_sd.doc](#)

See supporting CJSS: [ca_wr_219_cj.pdf](#)

**32. ENVIRONMENTAL RESOURCE REGULATION
INTERAGENCY AGREEMENT**

2004-1027 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 4 year cost-share agreement with the Florida Department of Agriculture and Consumer Services by cost-sharing the project under the Section 319 Grant process for Zipperer Farms, in the total amount of \$1,922,689 of which the District's total contribution is \$370,752, for which \$126,890 in dedicated funds (State Appropriations) are budgeted, and the remainder is subject to Governing Board approval of the FY06-FY08 budgets; providing an effective date. (Contract Number OT050001)

Project Sponsor: Pamela W. Sievers at ext: 6901

See resolution: [ca wr 220 rd.doc](#)

See supporting document: [ca wr 220 sd.doc](#)

See supporting document: [ca wr 220a sd.pdf](#)

See supporting CJSS: [ca wr 220 cj.pdf](#)

**33. WATER SUPPLY
DISTRICT GRANT AMENDMENT**

2004-1028 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract C-13976 with the City Of Cape Coral for Gator Slough Reuse System Phase V, to ratify the amendment from June 25, 2004 to October 14, 2004 and to extend the term of the contract to May 15, 2005 at no cost to the District; providing an effective date. (Contract Number C-13976-A03)

Project Sponsor: Elliot L. Kampert at ext: 7745

See resolution: [ca wr 221 rd.doc](#)

See supporting document: [ca wr 221 sd.doc](#)

See supporting CJSS: [ca wr 221 cj.pdf](#)

34. 2004-1029 A Resolution Of The Governing Board of the South Florida Water Management District authorizing the Executive Director to sign a letter of support for the Aquifer Storage and Recovery (ASR) Pilot Project Design Report; providing an effective date

Project sponsor: Peter Kwiatkowski at ext: 2547

See supporting document: [ca wr 222 sd.doc](#)

See supporting document: [ca wr 222a sd.doc](#)

See Resolution: [ca wr 222 rd.doc](#)

Land Resources

- 35. 2004-1030** A Resolution of the Governing Board of the South Florida Water Management District approving staff recommendations for releases of District Canal, Mineral and Road Reservations, releases of Trustees of the Internal Improvement Trust Fund (T.I.I.F.) Canal Reservations, and issuance of Non-Use commitments; providing an effective date. (V. Rada, ext. 6836)

See resolution: [ca_lr_100_rd.pdf](#)

See supporting document: [ca_lr_100_sd.pdf](#)

- 36. 2004-1031** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 0.47 acre, more or less, for the “Shallow Water” Component of the Bird Drive Recharge Area CERP Project, in Miami-Dade County, which is also part of East Coast Buffer Project, in the amount of \$30,000, and associated costs; for which dedicated funds (Save Our Everglades Trust Fund) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_101a_rd.pdf](#)

See supporting document: [ca_lr_101_sd.pdf](#)

2004-1032 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 0.47 acres, more or less, in the amount of \$30,000 from Save Our Everglades Trust Fund; and associated costs; for the “Shallow Water” Component Bird Drive CERP Project, in Miami-Dade County; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_101b_rd.pdf](#)

- 37. 2004-1033** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 10.00 acres, more or less, in the amount of \$50,000 for associated legal fee costs from Florida Forever Trust Fund; for the Deep Water Component of the Bird Drive Recharge Area CERP Project in Miami-Dade County; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_102_rd.pdf](#)

See supporting document: [ca_lr_102_sd.pdf](#)

- 38. 2004-1034** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 9.88 acres, more or less, from Save Our Everglades Trust Fund and associated costs from Florida Forever Trust Fund; for the C-9 Stormwater Treatment Area (STA)/Impoundment CERP Project in Broward County; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_103_rd.pdf](#)

See supporting document: [ca_lr_103_sd.pdf](#)

- 39. 2004-1035** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 0.36 acres, more or less, together with access easement interests containing 0.37 acres, more or less, for the Kissimmee River Project, in Highlands County, in the amount of \$105,000.00, and associated costs; for which dedicated funds (Florida Forever Trust Fund) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (R. Schaeffer, ext.2985)

See resolution: [ca_lr_104a_rd.pdf](#)

See supporting document: [ca_lr_104_sd.pdf](#)

2004-1036 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 0.36 acres, more or less, together with access easement interests containing 0.37 acres, more or less, in the amount of \$105,000, and all associated costs, from Florida Forever Trust Fund; for the Kissimmee River Project in Highlands County; providing an effective date. (R. Schaeffer, ext. 2985)

See resolution: [ca_lr_104b_rd.pdf](#)

- 40. 2004-1037** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of rights in land and other interests, in Polk County, Kissimmee Chain of Lakes Project in the amount of \$64,800.00 for which dedicated funds (Florida Forever Trust Funds) are budgeted; approve payment of incentives in the maximum amount of \$7,000.00 for which dedicated funds (Florida Forever Trust Funds) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (R. Schaeffer, ext. 2985)

See resolution: [ca_lr_106a_rd.pdf](#)

See supporting document: [ca_lr_106_sd.pdf](#)

2004-1038 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of rights in land and other interests, in Polk County, Kissimmee Chain of Lakes Project, in the amount of \$64,800.00, all associated costs, and payment of incentives in the maximum amount of \$7,000.00; providing an effective date. (R. Schaeffer, ext. 2985)

See resolution: [ca_lr_106b_rd.pdf](#)

- 41. 2004-1039** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interest containing 2.55 acres, more or less, in the amount of \$42,000 and associated costs not to exceed \$5,130.18; from Florida Forever Trust Fund; for the C-111 Canal Project (L-31 North Acquisition Area) in Miami-Dade County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_107_rd.pdf](#)

See supporting document: [ca_lr_107_sd.pdf](#)

- 42. 2004-1040** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 8.94 acres, more or less, for the Kissimmee River Project in Highlands County, in the amount of \$622,500, and all associated costs; for which dedicated funds (Florida Forever Trust Fund) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (P. Schneider, ext. 6831).

See resolution: [ca_lr_108a_rd.pdf](#)

See supporting document: [ca_lr_108_sd.pdf](#)

2004-1041 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 8.94 acres, more or less, in the amount of \$622,500 and all associated costs; from Florida Forever Trust Fund; for the Kissimmee River Project in Highlands County; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_108b_rd.pdf](#)

- 43. 2004-1042** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 1130 acres, more or less, for the Indian River Lagoon-South CERP Project, in St. Lucie County, in the amount of \$13,234,720, and associated costs; for which dedicated funds (Save Our Everglades Trust Fund) are subject to Governing Board approval of the FY05 budget; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_109_rd.pdf](#)

See supporting document: [ca_lr_109_sd.pdf](#)

2004-1043 A Resolution of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for seller's attorney fees, in the amount of \$400,000, related to the purchase of land interest containing 1,130 acres, more or less, from the Florida Forever Trust Fund; for the Indian River Lagoon CERP Project in St. Lucie County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_109_rd.pdf](#)

- 44. 2004-1044** A Resolution of the Governing Board of the South Florida Water Management District to approve and authorize eminent domain proceedings for the acquisition of certain lands consisting of 234.83 acres, more or less, in St. Lucie County, Florida, which are part of the C-23/24 Storage Reservoir Component of the Indian River Lagoon-South CERP Project, for which dedicated fund are budgeted (Save Our Everglades Trust Fund) declaring surplus, disposal of, and removal from the asset records, any such structures, improvements or real property deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_110_rd.pdf](#)

See supporting document: [ca_lr_110_sd.pdf](#)

2004-1045 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement form the Department of Environmental Protection from Save Our Everglades Trust Fund for the purchase of land interest containing 234.83 acres, more or less; for the Indian River Lagoon CERP Project, C-23/24 Stormwater Treatment Area, in St. Lucie County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_110_rd.pdf](#)

2004-1046 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement form the Department of Environmental Protection from the Florida Forever Trust Fund for seller's attorney fees related to the purchase of land interests containing 234.83 acres, more or less, for the Indian River Lagoon CERP Project, C-23/24 Stormwater Treatment Area, in St. Lucie County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_110c_rd.pdf](#)

- 45. 2004-1047** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for certain associated costs in the amount of \$394,750, incurred in connection with the purchase of land interests containing 670.31 acres, more or less, from the Florida Forever Trust Fund; for the Indian River Lagoon CERP Project, in St. Lucie County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_112_rd.pdf](#)

See supporting document: [ca_lr_112_sd.pdf](#)

- 46. 2004-1048** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 16.58 acres, more or less, for the Biscayne Bay Coastal Wetlands CERP Project, in Miami-Dade County, in the amount of \$331,600, and associated costs; for which dedicated funds (Save Our Everglades Trust Fund) are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_115a_rd.pdf](#)

See supporting document: [ca_lr_115_sd.pdf](#)

2004-1049 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 16.58 acres, more or less, in the amount of \$331,600 and associated costs; for the Biscayne Bay Coastal Wetlands CERP Project in Miami-Dade County; providing an effective date. (P. Schneider, ext. 6831)

See resolution: [ca_lr_115b_rd.pdf](#)

- 47. 2004-1050** A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection for the purchase of land interests containing 7,306 acres, more or less, in an amount not to exceed \$3,000,000, including associated costs, from the Florida Forever Trust Fund which represents 75% of the acquisition costs; for the Pal Mar Save Our Rivers Project in Martin County; providing an effective date. (B. Katz, ext. 6837)

See resolution: [ca_lr_116_rd.pdf](#)

See supporting document: [ca_lr_116_sd.pdf](#)

Corporate Resources

48. FINANCE AND ADMINISTRATION

NON COMPETITIVE CONTRACT - AMENDMENT

2004-1051 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract LS040478 to exercise the first of two 1-year options with Louis P. and Marcia H. Benson for the lease of the Martin/St. Lucie Service Center, to extend the term by 1 year from October 1, 2004 to September 30, 2005, in the amount not to exceed \$43,425.72 for which ad valorem funds are budgeted; providing an effective date. (Contract Number LS040478-A01)
Project Sponsor: John H. Creswell at ext: 6403

See resolution: [ca_cr_201_rd.doc](#)

See supporting document: [ca_cr_201_sd.doc](#)

See supporting CJSS: [ca_cr_201_cj.pdf](#)

49. INFORMATION TECHNOLOGY

PURCHASE ORDER

2004-1052 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Environmental Systems Research Institute (ESRI) for GIS software maintenance and upgrades, for the time period October 1, 2004 – September 30, 2005, in the amount of \$197,225, for which ad valorem (\$170,744) and dedicated funds (CERP - \$26,481) are budgeted; providing an effective date. (Purchase Order PC P5XXXXX)

Project Sponsor: Dante Marzetti at ext: 2787

See resolution: [ca_cr_204_rd.doc](#)

See supporting document: [ca_cr_204_sd.doc](#)

See supporting CJSS: [ca_cr_204_cj.doc](#)

Office of Counsel

- 50.** Approval of a Settlement Agreement in South Florida Water Management District v. Ranch Colony Property Owner's Association, SFWMD Order No. 2004-104 DAO-SWM (Peter Cocotos, x6274)

See Supporting Document: [ca_oc_001_sd.doc](#)

- 51. 2004-1053** A Resolution of the Governing Board of the South Florida Water Management District to authorize a Stipulated Final Judgment for \$54,500.00 for land and no attorney's fees and costs for a condemnation action involving approximately 1.09 acres, more or less, in fee simple (Tract No. 101-011 the Marcelina Bacomo and Fortunato Bacomo Revocable Trust dated August 16, 1996) within the designated boundaries of the East Coast Buffer/Broward Water Preserve Areas project styled South Florida Water Management District v. Ngok, et al., filed in the 17th Circuit Court for Broward County, Florida, Case No. 03-014767 (CA-04), providing an effective date. (Alexia Capote, Office of the Attorney General, x2906)

See resolution: [ca oc 203 rd.doc](#)
See supporting document: [ca oc 203 sd.doc](#)
See supporting document: [ca oc 203 sd2.doc](#)

- 52. 2004-1054** A Resolution of the Governing Board of the South Florida Water Management District to authorize a Settlement Agreement with Gonzalo Estevez for \$184,800.00 plus \$7,200.00 in attorney fees, for which dedicated funds (Florida Forever Trust Fund) are budgeted, in connection with the lawsuit styled South Florida Water Management District v. Estevez, et al. Case No. 04-7981-ca-27, filed in the 11th Circuit Court for Miami-Dade County, Florida, which includes 2.5 acres more or less (parcel B7 100-076), and an additional 2.5 acres more or less (parcel B7 100-083), as part of the settlement, for a total of approximately 5.0 acres within the C-111 Canal Project, and declare surplus, disposal of, and removal from the asset records, any structures, improvements or real property deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (Michael Compagno, x6842)

See supporting resolution: [ca oc 204 rd1.doc](#)
See supporting document: [ca oc 204 sd.pdf](#)

2004-1055 A Resolution of the Governing Board of the South Florida Water Management District requesting reimbursement from the Department of Environmental Protection from the Florida Forever Fund for the purchase of land interests and associated costs, containing 2.50 acres, more or less; for the C-111 Project, in Miami-Dade County; providing an effective date.

See supporting resolution: [ca oc 204 rd2.doc](#)
See supporting document: [ca oc 204 sd2.doc](#)
See supporting map: [ca oc 204 sd.pdf](#)
See supporting document: [ca oc 204 sd3.doc](#)

- 53. A.** Enter a Final Order concurring with, and establishing an expiration date for, the Executive Director's Emergency Order, SFWMD Order No. 2004-173 DAO, regarding the abrogation of time requirements and deadlines for processing and action on consumptive use permit applications, extension of irrigation permit expiration basin dates, and suspension of monitoring requirements and withdrawal facility calibration requirements for consumptive use permits and permit applications, for the agricultural irrigation water users within the South Florida Water Management District.
- B.** Enter a Final Order concurring with the Executive Director's Emergency Authorization and Order, SFWMD Order No. 2004-156 DAO, to Operate Stormwater Treatment Area 2-A and Emergency Spillway G-339WCA2 / G339
- C.** Enter a Final Order concurring with, consolidating, and establishing an expiration date for, the Executive Director's Emergency Authorizations and Orders, SFWMD Order No. 2004-155 DAO, SFWMD Order No. 2004-157 DAO and SFWMD Order No. 2004-170 DAO, regarding operation of Stormwater Treatment Area 1 East and Pump Stations S-362 and S-319.
- D.** Enter a Final Order concurring with the Executive Director's Emergency Final Order, SFWMD Order No. 2004-174 DAO, regarding pumping and other measures to address flooding caused by Hurricane Jeanne, consolidating with SFWMD Order No. 2004-151 DAO, and establishing an expiration date.
- E.** Enter a Final Order concurring with the Executive Director's Emergency Final Order, SFWMD Order No. 2004-175 DAO, regarding repairs, replacement, restoration, and certain other measures made necessary by Hurricane Jeanne, consolidating with SFWMD Order No. 2004-145 DAO and SFWMD Order No. 2004-150 DAO, and establishing an expiration date.
- F.** Enter a Final Order concurring with the Executive Director's Emergency Surface Water Management Authorization and Order, SFWMD Order No. 2004-178 DAO ERP, regarding immediate flood relief within Martin County, Florida.
- G.** Enter a Final Order concurring with the Executive Director's Emergency Authorizations for Temporary Closure of Certain Portions of the Lower Kissimmee River Management Area due to increased flows caused by Hurricanes Charley and Frances.
- H.** Enter a Final Order concurring with the Executive Director's Emergency Order, SFWMD Order No. 2004-177 DAO, regarding suspension and tolling of time requirements, notice requirements, and deadlines for final action on applications for permits and other approvals consistent with Executive Orders 04-192 and 04-206, in response to the impacts of Hurricanes Charley, Frances and Ivan.
- I.** Enter a Final Order concurring with the Executive Director's Emergency Authorizations for Temporary Closure of Certain Portions of the Lower Kissimmee River Management Area due to increased flows caused by Hurricanes Charley and Frances.

Government and Public Affairs

54. SERVICE CENTERS

LOCAL GOVERNMENTAL AMENDMENT

2004-1056 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to agreement C-13164 with the City of Miami for the Flagami and Pinehurst Stormwater Drainage Projects to extend the term by 27 months from September 14, 2004 to December 13, 2006 at no additional cost to the District; providing an effective date. (Contract Number C-13164-A02)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca ga 201 rd.doc](#)

See supporting document: [ca ga 201 sd.doc](#)

See supporting CJSS: [ca ga 201 cj.pdf](#)

55. SERVICE CENTERS

LOCAL GOVERNMENTAL AMENDMENT

2004-1057 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cooperative agreement OT040724 with the City of Miramar for design and construction of the City of Miramar's Stormwater Management System Improvements to ratify the amendment from June 1, 2003 to October 13, 2004 and to extend the term of the agreement to May 31, 2006 at no cost to the District; providing an effective date. (Contract Number OT040724-A01)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca ga 202 rd.doc](#)

See supporting document: [ca ga 202 sd.doc](#)

See supporting CJSS: [ca ga 202 cj.pdf](#)

56. SERVICE CENTERS

LOCAL GOVERNMENTAL AMENDMENT

2004-1058 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cooperative agreement C-13167 with Village of Virginia Gardens for construction of citywide stormwater improvements to extend the term by 14 months from November 14, 2004 to January 13, 2006 in the amount of \$460,000 for which dedicated funds (State Appropriations) are budgeted; providing an effective date. (Contract Number C-13167-A04)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca ga 203 rd.doc](#)

See supporting document: [ca ga 203.sd.doc](#)

See supporting CJSS: [ca ga 203 cj.pdf](#)

57. SERVICE CENTERS

LOCAL GOVERNMENTAL AMENDMENT

2004-1059 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cost-share agreement C-15800 with the City of Homestead for Stormwater Management System Improvements to extend the term by 24 months from October 17, 2004 to October 16, 2006 in the amount of \$200,000 for which dedicated funds (State Appropriations) are budgeted; providing an effective date. (Contract Number C-15800-A02)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca_ga_204_rd.doc](#)

See supporting document: [ca_ga_204_sd.doc](#)

See supporting CJSS: [ca_ga_204_cj.pdf](#)

58. SERVICE CENTERS

LOCAL GOVERNMENTAL AMENDMENT

2004-1060 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cost-share agreement C-13155 with the City of Florida City for construction of the Friedland Manor Stormwater Improvement Project to extend the term by 12 months from February 16, 2005 to February 15, 2006 in the amount of \$200,000 for which dedicated funds (State Appropriations) are budgeted; providing an effective date. (Contract Number C-13155-A02)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca_ga_205_rd.doc](#)

See supporting document: [ca_ga_205_sd.doc](#)

See supporting CJSS: [ca_ga_205_cj.pdf](#)

59. GREATER WEST COAST

UNIVERSITY COOPERATIVE AMENDMENT

2004-1061 Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cost share agreement C-15051, with Florida Gulf Coast University, for Coordination of Environmental Restoration Efforts in the Big Cypress Basin, to extend the term by 1 year from December 1, 2004 through November 30, 2005, in the total amount of \$33,064, of which the District's total contribution is \$ 21,000 for which dedicated funds (Big Cypress Basin) are budgeted; providing an effective date. (Contract Number C-15051-A02)

Project Sponsor: Barbara J. Kerby at ext: 7603

See resolution: [ca_ga_206_rd.doc](#)

See supporting document: [ca_ga_206_sd.doc](#)

See supporting CJSS: [ca_ga_206_cj.pdf](#)

60. SERVICE CENTERS

NON COMPETITIVE CONTRACT - AMENDMENT

2004-1062 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract OT040555 with the Miami River Commission for Miami River Commission Operational Support for FY2005 to extend the term by 12 months from April 17, 2005 to April 16, 2006 in the amount of \$250,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number OT040555-A02)

Project Sponsor: Elizabeth A. Abbott at ext: 7290

See resolution: [ca_ga_207_rd.doc](#)

See supporting document: [ca_ga_207_sd.doc](#)

See supporting CJSS: [ca_ga_207_cj.pdf](#)

- 61. 2004-1063** A Resolution of the Governing Board of the South Florida Water Management District authorizing the District to act as local sponsor for the Southern Golden Gate Estates (Picayune Strand) Ecosystem Restoration Project; providing an effective date (J. Starnes, ext. 7735)

See resolution: [ca_ga_208_rd.doc](#)

See supporting document: [ca_ga_208_sd.doc](#)

Operations and Maintenance

**62. OPERATIONS CONTROL, ENG & VEG MGT
GOVERNMENTAL REIMBURSEMENT GRANT**

2004-1064 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract C-13667 with the U.S. Department of Agriculture for USDA Cooperative Agreement for melaleuca areawide project in the amount of \$100,000 to be reimbursed to the District for which dedicated funds (External Grant Fund) are budgeted; providing an effective date. (Contract Number C-13667-A04)

Project Sponsor: Amy P. Ferriter at ext: 6097

See resolution: [ca_om_202_rd.doc](#)

See supporting document: [ca_om_202_sd.doc](#)

See supporting CJSS: [ca_om_202_cj.pdf](#)

63. Board Vote on Consent Agenda

Competitive Bid and Procurement Items

Items may be taken as one item with one vote by the Governing Board if so desired. Applicable agenda items in this category are being proposed for authorization to officially post the requested action.

64. FINANCE AND ADMINISTRATION

WAIVER OF COMPETITION

2004-1065 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year contract with Smith & Smith Consulting LLC, and authorize a waiver of competition as an exception to the general standards of competition, for Management Consulting Services in an amount not to exceed \$195,000 of which \$65,000 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY06-FY07 budgets; providing an effective date. (Contract Number OT050561)

Project Sponsor: Aaron M. Basinger at ext: 6660

See resolution: [pc_cr_201_rd.doc](#)

See supporting document: [pc_cr_201_sd.doc](#)

See supporting CJSS: [pc_cr_201_cj.pdf](#)

65. FINANCE AND ADMINISTRATION

WAIVER OF COMPETITION

2004-1066 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 6 month contract with S. Davis & Associates, PA, and authorize a waiver of competition as an exception to the general standards of competition, for Kissimmee River Restoration Data Analysis in the amount not to exceed \$250,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number OT050563)

Project Sponsor: Pamela J. Roth at ext: 2122

See resolution: [pc_cr_202_rd.doc](#)

See supporting document: [pc_cr_202_sd.doc](#)

See supporting CJSS: [pc_cr_202_cj.pdf](#)

66. HUMAN RESOURCES

WAIVER OF COMPETITION

2004-1067 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year contract with SEBA Solutions Inc, and authorize a waiver of competition as an exception to the general standards of competition, for project management training and consulting in an amount not to exceed \$125,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number OT050615)

Project Sponsor: Terry A. Clark at ext: 6336

See resolution: [pc_cr_203_rd.doc](#)

See supporting document: [pc_cr_203_sd.doc](#)

See supporting CJSS: [pc_cr_203_cj.pdf](#)

67. EXECUTIVE OFFICE

WAIVER OF COMPETITION AMENDMENT

2004-1068 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract C-15681 with Christine D. Hanley & Associates, PA, and authorize a waiver of competition as an exception to the general standards of competition, for executive management consulting, in an amount not to exceed \$95,000 for which ad valorem funds are budgeted; providing an effective date. (Contract Number C-15681-A02)

Project Sponsor: Carol A. Wehle at ext: 2893

See resolution: [pc_eo_202_rd.doc](#)

See supporting document: [pc_eo_202_sd.doc](#)

See supporting CJSS: [pc_eo_202_cj.pdf](#)

68. FIELD OPERATIONS - NORTH

COMPETITIVE CONTRACT - RFB

2004-1069 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year work order contract with Trugreen Landcare, LLC, the lowest responsive and responsible bidder, for Okeechobee area flat mowing services in the amount of \$854,775 for which \$280,032 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY06-FY07 budgets; providing an effective date. (Contract Number OT050477)

Project Sponsor: Michael F. Molinaro at ext: 3136

See resolution: [pc_om_201_rd.doc](#)

See supporting document: [pc_om_201_sd.doc](#)

See supporting CJSS: [pc_om_201_cj.pdf](#)

69. CONSTRUCTION AND ENGINEERING

COMPETITIVE CONTRACT – RFB

50 YEAR O+M PLAN

2004-1070 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 210 day contract with Lucas Marine Construction, Inc., the lowest responsive and responsible bidder, for the S-49 Gate Hoist Replacement, in the amount of \$330,610 for which ad valorem funds are budgeted; providing an effective date. (Contract Number CN050500)

Project Sponsor: Lai S. Shafau at ext: 6243

See resolution: [pc_wr_202_rd.doc](#)

See supporting document: [pc_wr_202_sd.doc](#)

See supporting CJSS: [pc_wr_202_cj.pdf](#)

See supporting map: [pc_wr_202a_sd.jpg](#)

**70. CONSTRUCTION AND ENGINEERING
COMPETITIVE CONTRACT – RFB
50 YEAR O+M PLAN**

2004-1071 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 210 day contract with Lucas Marine Construction, Inc., the lowest responsive and responsible bidder, for S-63a gate operator replacement in the amount of \$349,750 for which ad valorem funds are budgeted; providing an effective date. (Contract Number CN050501)

Project Sponsor: Thomas A. McKernan, Jr. at ext: 6325

See resolution: [pc wr 203 rd.doc](#)

See supporting document: [pc wr 203 sd.doc](#)

See supporting CJSS: [pc wr 203 cj.pdf](#)

See supporting map: [pc wr 203a sd.jpg](#)

**71. WATERSHED MANAGEMENT
DISTRICT GRANT**

2004-1072 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into eight 1-year agreements for the Indian River Lagoon License Plate Program to support habitat restoration, water quality improvement and associated education projects located in Palm Beach, St. Lucie, and Martin counties in the total amount not-to-exceed \$179,994 for which dedicated funds (Indian River Lagoon Tag Fund) are budgeted; providing an effective date. (Contract Number IRL FY2004)

Project Sponsor: Barbara H. Welch at ext: 3611

See resolution: [pc wr 204 rd.doc](#)

See supporting document: [pc wr 204 sd.doc](#)

See supporting CJSS: [pc wr 204 cj.pdf](#)

See supporting map: [pc wr 204a sd.doc](#)

72. Board Vote on Procurement and Contract items

Workshop Agenda

73. Hurricane Update – Henry Dean

74. Operations Discussion of the Upper Kissimmee – George Horne

Discussion Agenda

75. Open Public Hearing

Adopt amendment to Rule 40E-4.091, F.A.C., which incorporates by reference the "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – September 2003" (B.O.R.), to revise Section 4.2.8 to reflect that Figure 4.4-1 shall be used for purposes of performing a cumulative impact analysis (Robert Robbins, X6951)

See supporting document: [ph_wr_001_sd.doc](#)

Closed Public Hearing

76. Open Public Hearing

2004-1073 A Resolution of the Governing Board of the South Florida Water Management District advising the Department of Environmental Protection of the use of \$6,786.92 from the Water Management Lands Trust Fund for the 2003 payment in lieu of taxes to Hendry County for actual ad valorem tax losses incurred as a result of lands purchased by the District, requesting the Department of Environmental Protection to reimburse the District for this payment; providing an effective date. (R. Adair, ext. 6462)

See resolution: [ph_lr_113_rd.pdf](#)

See supporting document: [ph_lr_113_sd.pdf](#)

Close Public Hearing

77. Open Public Hearing

2004-1074 A Resolution of the Governing Board of the South Florida Water Management District advising the Department of Environmental Protection of the use of \$1,116,310.15 from the Water Management Lands Trust Fund as reimbursement for pre-acquisition costs associated with preliminary and preparatory activities necessary for the District to pursue acquisition of the fee or other legal interest in lands; authorizing the Executive Director or his designee to request reimbursement based on actual expenditures for pre-acquisition costs; providing an effective date. (R. Adair; ext. 6462)

See resolution: [ph_lr_114_rd.pdf](#)

See supporting document: [ph_lr_114_sd.pdf](#)

Close Public Hearing

78. OFFICE OF COUNSEL

Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District et al., United States District Court, Southern District of Florida, Case No. 88-1886-Civ-Moreno.

Sheryl G. Wood, General Counsel, x6976

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District et al., United States District Court, Southern District of Florida, Case No. 88-1886-Civ-Moreno.

Sheryl G. Wood, x6976

Water Resources

79. WATER RESOURCES

2004-1075 A Resolution of the Governing Board of the South Florida Water Management District directing staff to amend the permit application submitted to the Florida Department of Environmental Protection in December 2003, pursuant to Section 10 of the Everglades Forever Act, Section 373.4592.(1), Florida Statutes (2003), incorporating revisions to the “Long-Term Plan for Achieving Water Quality Goals (Long-Term Plan)”; providing an effective date. (Gary Goforth, x-6280)

See resolution: [da wr 001 rd.doc](#)

See supporting document: [da wr 001 sd.doc](#)

See supporting map: [da wr 001a sd.doc](#)

See Executive Summary: [da wr 001b sd.doc](#)

80. CONSTRUCTION AND ENGINEERING

COMPETITIVE CONTRACT - RFB

2004-1076 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 700 day contract with Shaw Environmental, Inc., the lowest responsive and responsible bidder, for STA-1W Enhancements in the amount of \$8,370,000 of which \$2,161,943 in dedicated funds (Everglades Restoration Trust Fund) are budgeted and authorize a budget substitution in the amount of \$3,208,057 from dedicated funds (Everglades Restoration Trust Fund) from STA 2 Enhancement Construction to STA-1W Enhancements, and the remainder is subject to Governing Board approval of the FY06 budget; providing an effective date. (Contract Number CE050112)

Project Sponsor: Timothy S. Carter at ext: 6711

See resolution: [da wr 201 rd.doc](#)

See supporting document: [da wr 201 sd.doc](#)

See supporting CJSS: [da wr 201 cj.pdf](#)

See supporting map: [da wr 201a sd.ppt](#)

81. WATER SUPPLY

DISTRICT GRANT

2004-1077 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into 3 year agreements with 28 Alternative Water Supply Grant Program applicants to support construction of alternative water supply projects in a total amount non-to-exceed \$6,000,000, for which \$4,000,000 in dedicated funds (Water Management Lands Trust Fund) and \$2,000,000 in ad valorem funds are budgeted; providing an effective date. (Contract Number AWS FY2005)

Project Sponsor: Sharon H. Fowler at ext: 6155

See resolution: [da wr 202 rd.doc](#)

See supporting document: [da wr 202 sd.doc](#)

See supporting CJSS: [da wr 202 cj.pdf](#)

See supporting map: [da wr 202a sd.pdf](#)

82. WATERSHED MANAGEMENT INTERAGENCY AGREEMENT

2004-1078 A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 5 year cooperative agreement with the Florida Department of Environmental Protection for laboratory analysis, in an amount not to exceed \$2,073,618, for which dedicated funds (Everglades Restoration Trust Fund - \$192,602, Florida Bay Fund - \$64,104, and Comprehensive Everglades Restoration Plan Fund - \$156,912) are budgeted, and the remainder is subject to Governing Board approval of the FY06-FY09 budgets; providing an effective date. (Contract Number ML050309)

Project Sponsor: Jennifer Leeds at ext: 4554

See resolution: [da wr 203 rd.doc](#)

See supporting document: [da wr 203 sd.doc](#)

See supporting CJSS: [da wr 203 cj.pdf](#)

See supporting map: [da wr 203a sd.doc](#)

**83. ENVIRONMENTAL RESOURCE ASSESSMENT
COMPETITIVE CONTRACT - RFP**

2004-1079 A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into nine 3-year work order contracts, with: (Battelle Memorial Institute, Benchmark Enviroanalytical, Inc., Columbia Analytical Services, Inc., DB Environmental Laboratory, Inc., Ecology & Environment, Inc., ELAB, Inc., PPB Environmental Laboratory, Inc., Severn Trent Laboratories, Inc., US Biosystems, Inc.) which have been selected for various laboratory analysis services, in an amount not-to-exceed the total project funding of Laboratory Overflow Services Contracts issued in response to RFP ML040289 of \$3,000,000 of which the combined total of \$1,000,000 per fiscal year in ad valorem and dedicated funds (Water Management Land Trust Fund, Everglades Restoration Trust Fund, and Comprehensive Everglades Restoration Plan Fund) are budgeted and the remainder is subject to Governing Board approval of the FY06-FY07 budgets. If negotiations are unsuccessful with a firm, the District will proceed with negotiations in ranked order until a contract has been successfully negotiated, or the District has exhausted its ranked list of short-listed firms; providing an effective date. (Contract Numbers ML050358, ML050359, ML050360, ML050361, ML050362, ML050363, ML050364, ML050365, ML050366)

Project Sponsor: Juan A. Manzano at ext: 4523

See resolution: [da wr 204 rd.doc](#)

See supporting document: [da wr 204 sd.doc](#)

See supporting CJSS: [da wr 204 cj.pdf](#)

**84. ECOSYSTEM RESTORATION
SOLE SOURCE AMENDMENT**

2004-1080 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to the public private partnership agreement CP040125 with Aquacalma, L.P., a Delaware Limited Partnership, to restate the agreement for the C-44 Reservoir/STA Project and to extend the term by 12 months from December 18, 2004 to December 17, 2005 at no additional cost to the District; providing an effective date. (Contract Number CP040125-A02)

Project Sponsor: Susan A. Ray at ext: 6723

See resolution: [da wr 205 rd.doc](#)

See supporting document: [da wr 205 sd.doc](#)

See supporting CJSS: [da wr 205 cj.pdf](#)

See supporting map: [da wr 205a sd.doc](#)

85. Approve issuance of a Recommended Consolidated Intent to Grant an Environmental Resource Permit Modification Application 020418-5 for construction and operation of a 49 slip docking facility, dredging 3,400 cubic yards of material and approval of a lease over 49,245 square feet of sovereign submerged lands at The Dunes of Naples Condominium development (Collier County) (Robert Robbins, X6951) (5P/5D)

See supporting document: [da wr 206 sd.doc](#)

CERP Coordination

Items may be taken as one item with one vote by the Governing Board if so desired.

- 86.** Approve Water Use Permit Renewal Application 030829-20 for public water supply to meet the demands of the existing population with a 20-year duration and a modification to increase the allocation to meet the projected demands with a 5-year duration for the City of Miramar (Broward County) (Scott Burns, X6817) (5P/5D)

See supporting document: [da wr 207 sd.doc](#)

- 87.** Approve Water Use Permit Renewal Application 030509-12 for public water supply to meet the projected demands with a 5-year duration for the City of Pembroke Pines (Broward County) (Scott Burns, X6817) (5P/5D)

See supporting document: [da wr 208 sd.doc](#)

- 88.** Approve Water Use Permit Application 030303-17 for public water supply to meet the demands of the existing and projected population through the year 2024 for the Town of Jupiter (Palm Beach County) (Scott Burns, X6817) (5P/5D)

See supporting document: [da wr 209 sd.doc](#)

Corporate Resources

- 89.** PROCUREMENT DEPARTMENT

2004-1081 A Resolution of the Governing Board of the South Florida Water Management District amending Sections 155-1 through 155-9 of the District's Procurement and Contracting Policy within the District's Policies and Procedures Code for the purpose of updating Chapter 155 by streamlining procurement policies and procedures, increasing thresholds for Governing Board approval and expanding internal controls and reporting requirements to the Governing Board; providing an effective date.

Project Sponsor: Frank Hayden, ext. 6043

See resolution: [da cr 001 rd.doc](#)

See supporting document: [da cr 001 sd.doc](#)

See Policy: [da cr 001 sd2.doc](#)

Land Resources

90. LAND MANAGEMENT & OPERATIONS INTERAGENCY AMENDMENT

2004-1082 A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to cooperative agreement C-10162 with the Florida Fish & Wildlife Conservation Commission for law enforcement services on District lands to add an additional officer and to provide funding for the next three years of the 25 year contract in an amount not to exceed \$2,276,295 of which \$681,250 in ad valorem funds and dedicated funds (Water Management Land Trust Fund and Wetlands Mitigation Fund) are budgeted and the remainder is subject to Governing Board approval of the FY06-07 budgets; providing an effective date. (Contract Number C-10162-A06)

Project Sponsor: Richard W. Conover at ext: 3823

See resolution: [da_lr_201_rd.doc](#)

See supporting document: [da_lr_201_sd.pdf](#)

See supporting CJSS: [da_lr_201_cj.pdf](#)

91. Public Comment

Committees and Commissions of the Board

- 92. Water Resource Advisory Commission Update** – Mr. Michael Collins, Chair, Water Resource Advisory Commission
- 93. Audit and Finance Committee Report** – Mr. Lennart Lindahl, Chair, Audit Committee
- 94. Land Resources and Regulatory Committee Report**- Mr. Kevin McCarty, Chair

Staff Reports

- 95. Water Conditions Report** – Mr. Bob Howard P.E., (10 Min.)
- 96. Office of Policy and Legislation Update** – Ms. Kathy Copeland (5 min.)
- 97. Ombud Report** – Ms. Carolyn Williams (5 Min.)
- 98. Calendar Update** – Mr. Garrett Wallace (5 Min.)
- 99. General Counsel Report** – Ms. Sheryl Wood (5 Min.)
- 100. Executive Director's Report** – Mr. Henry Dean (5 Min.)
- 101. Board Comment**

Adjournment